

Elizabeth G. Borland (adm. *pro hac vice*)
 Richard D. Rivera (adm. *pro hac vice*)
 SMITH, GAMBRELL & RUSSELL, LLP
 1105 W. Peachtree Street, #1000
 Atlanta, GA 30309
 Tel. 404-815-3645
eborland@sgrlaw.com
rrivera@sgrlaw.com

Gregg A. Rapoport (SBN 136941)
 SMITH, GAMBRELL & RUSSELL, LLP
 444 South Flower Street, Ste. 1700
 Los Angeles, CA 90071-2901
 Tel. 213-358-7220
grapoport@sgrlaw.com

Attorneys for Defendant and Counterclaimant
 FACTORY DIRECT WHOLESALE, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHENZHEN BIG MOUTH TECHNOLOGIES
 CO., LTD. and DECAI (TONY) FU,

Plaintiffs,

vs.

FACTORY DIRECT WHOLESALE, LLC,

Defendant.

FACTORY DIRECT WHOLESALE, LLC,

Counterclaimant,

vs.

SHENZHEN BIG MOUTH TECHNOLOGIES
 CO., LTD. and DECAI (TONY) FU,

Counterdefendants.

Case No.: 3:21-cv-09545-RS
Hon. Richard Seeborg

**STIPULATION AND ORDER TO
 CONTINUE CASE
 MANAGEMENT CONFERENCE**

Case Mgmt Conf. Date: April 21, 2022
 Time: 10:00 a.m.
 Courtroom: 3

1 WHEREAS, the Complaint in the above-captioned matter was filed on December 9, 2021 by
2 Plaintiffs SHENZHEN BIG MOUTH TECHNOLOGIES CO., LTD. (“Big Mouth”) and DECAI
3 (TONY) FU (together, “Plaintiffs”) against Defendant FACTORY DIRECT WHOLESALE, LLC
4 (“Defendant”);

5 WHEREAS, Defendant filed its Answer and Counterclaims, as well as a Motion to Dismiss
6 Count II of the Complaint as to Big Mouth, on February 2, 2022;

7 WHEREAS, Plaintiffs filed their Answer to Counterclaims, as well as a Motion to Strike
8 Defendant’s Affirmative Defenses, on February 23, 2022;

9 WHEREAS, the hearings on the foregoing two motions is set for April 7, 2022;

10 WHEREAS, the Case Management Conference in this action is set for April 21, 2022;

11 WHEREAS, the parties agree that because certain pleadings may be dismissed or amended
12 following the hearing on April 7, 2022, the Case Management Conference should be continued by at
13 least thirty (30) days;

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NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned parties, through their counsel of record, and subject to approval by this Court, that the Case Management Conference be continued by at least thirty (30) days.

Dated: March 29, 2022

SMITH, GAMBRELL & RUSSELL, LLP

By: /s/ Gregg A. Rapoport

Gregg A. Rapoport

Elizabeth G. Borland

Richard D. Rivera

Gregg A. Rapoport

Attorneys for Defendant and Counterclaimant
FACTORY DIRECT WHOLESALE, LLC

Dated: March 29, 2022

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP**

By: /s/ Matthew Samet

Matthew Samet

Attorneys for Plaintiffs and Counterdefendants
SHENZHEN BIG MOUTH TECHNOLOGIES CO.,
LTD. and DECAI (TONY) FU

CERTIFICATION (L.R. 5-1(h))

The undersigned hereby certifies that each of the signatories to the foregoing document have concurred in the filing of the document.

Dated: March 29, 2022

SMITH, GAMBRELL & RUSSELL, LLP

By: /s/ Gregg A. Rapoport

Gregg A. Rapoport

Elizabeth G. Borland

Richard D. Rivera

Gregg A. Rapoport

Attorneys for Defendant and Counterclaimant
FACTORY DIRECT WHOLESALE, LLC

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management Conference previously set for April 21, 2022, is hereby continued to:

May 26, 2022 at 10:00 am.

DATED: March 29, 2022



HON. RICHARD SEEBORG
CHIEF UNITED STATES DISTRICT JUDGE